

Tamara Giwa
Executive Director

Jennifer L. Brown
Attorney-in-Charge

February 27, 2025

BY ECF

Honorable Katherine Polk Failla
United States District Judge
Thurgood Marshall U.S. Courthouse
40 Foley Square,
New York, NY 10007

MEMO ENDORSED

Re: *United States v. Michael Brown*, 20 Cr. 524 (KPF)

Honorable Judge Failla:

In advance of the conference scheduled in this matter for Wednesday, March 5, 2025 at 11 A.M. and pursuant to Rule 43 of the Federal Rules of Criminal Procedure, I write on behalf of Michael Brown to respectfully request that Mr. Brown be excused from attending the conference in person.

Mr. Brown resides in North Carolina and would incur expenses from travel to New York to attend the conference. Because the conference is not the initial appearance, the initial arraignment, a plea, a trial stage, or a sentencing, Mr. Brown's presence is not required pursuant to FRCr.P 43(a). Rather, because the proceeding is a conference, FRCr.P 43(b)(3) permits Mr. Brown's absence. Accordingly, I respectfully request the Court permit Mr. Brown to be excused from attending the conference in person.

I have discussed this request with AUSA Matthew Weinberg, who, on behalf of the Government, takes no position on this request.

Thank you for your consideration of this matter.

Respectfully submitted,



Christopher Flood, Esq.
(212) 417-8734

cc: SDNY AUSA Matthew Adam Weinberg (by ECF)

The Court has been in communication with the Government and defense counsel, and understands that both parties consent to proceeding with the upcoming conference remotely. As such, and in light of the above, the conference scheduled for March 5, 2025, at 11:00 a.m., will be held via video conference with public audio access at (855) 244-8681, access code 2315 780 7370. Instructions to video participants will be sent separately in advance of the conference.

The Clerk of Court is directed to terminate the pending motion at docket entry 147.

Dated: February 28, 2025
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE